## **EXHIBIT C**

1 2 3 4 5 6 7 8	I. NEEL CHATTERJEE (STATE BAR NO. 17) nchatterjee@orrick.com MONTE M.F. COOPER (STATE BAR NO. 19) mcooper@orrick.com THERESA A. SUTTON (STATE BAR NO. 21) tsutton@orrick.com MORVARID METANAT (STATE BAR NO. 2) mmetanat@orrick.com ORRICK, HERRINGTON & SUTCLIFFE LLF 1000 Marsh Road Menlo Park, CA 94025 Telephone: 650-614-7400 Facsimile: 650-614-7401  Attorneys for Plaintiff FACEBOOK, INC.	6746) 1857) 268228)
9	UNITED STATES	DISTRICT COURT
10	NORTHERN DISTR	ICT OF CALIFORNIA
11	SAN FRANCI	ISCO DIVISION
12		
13	FACEBOOK, INC.,	Case No. 5:08-cv-05780 JW (JCS)
<ul><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li></ul>	Plaintiff, v.  POWER VENTURES, INC. a Cayman Island Corporation; STEVE VACHANI, an individual; DOE 1, d/b/a POWER.COM, DOES 2-25, inclusive,	FACEBOOK, INC.'S SECOND SUPPLEMENTAL INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26
19	Defendants.	
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Plaintiff Facebook, Inc. provides the following initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure. Facebook makes these disclosures based on information currently known to Facebook following a good faith inquiry, without the benefit of full and complete discovery from any of the parties in this action, and without waiver of the attorney-client privilege or any other applicable privilege or doctrine. Facebook reserves the right to modify, amend, or otherwise supplement this disclosure, pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, as additional information becomes available during the course of this action, and to rely on such information as evidence in this action. Facebook further reserves the right to object to production and/or introduction into evidence of any document within the categories described herein or any testimony of the witnesses indentified herein on the basis of privilege, relevance, or otherwise as appropriate.

Rule 26(a)(1)(A)(i): the name and , if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

Based on information currently available to Facebook, the following individuals are believed likely to have discoverable information, which Facebook may use to support its CAN-SPAM Act, Computer Fraud and Abuse Act, and California Penal Code Section 502, claims against Defendants.

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Individual	Contact Information	Subjects
Steve Vachani	2425 B Channing Way	Information regarding Power's
	Berkeley, CA 94704	access to and use of the
	Telephone Number Unknown	Facebook website, and all
	_	other issues in the case.
Eric Santos	Unknown	Information regarding Power's
		access to and use of the
		Facebook website, including
		the number of accesses of
		Facebook by Power, the
		creation of Power, investment
		in Power, Power's knowledge
		of Facebook's and other social
		network's Terms of Service,
		development of PowerScript,
		development of
		PowerBrowser, the
		functionality of all software

1			used by Power, and Power's attempts to integrate the Power
2			website with Facebook using
			Facebook Connect.
3	Felipe Herrera	Unknown	Information regarding Power's
4			access to and use of the
4			Facebook website, including the number of accesses of
5			Facebook by Power, the
			creation of Power, investment
6			in Power, Power's knowledge
_			of Facebook's and other social
7			network's Terms of Service,
8			development of PowerScript,
0			development of PowerBrowser, the
9			functionality of all software
			used by Power, and Power's
10			attempts to integrate the Power
11			website with Facebook using
11	Bruno Carvalho	Sei tecnologia	Facebook Connect.  Information regarding Power's
12	Diulio Cai valilo	(71) 3351-1904	access to and use of the
		(71) 3331-1704	Facebook website, including
13			the number of accesses of
14			Facebook by Power, Power's
14			knowledge of Facebook's and other social network's Terms
15			of Service, development of
			PowerScript, development of
16			PowerBrowser, the
17			functionality of all software
1/			used by Power, and Power's
18			attempts to integrate the Power website with Facebook using
			Facebook Connect.
19	Tyago Valenca	Unknown	Information regarding Power's
20			access to and use of the
20			Facebook website, including the number of accesses of
21			Facebook by Power, Power's
			knowledge of Facebook's and
22			other social network's Terms
23			of Service, development of
23			PowerScript, development of PowerBrowser, the
24			functionality of all software
			used by Power, and Power's
25			attempts to integrate the Power
26			website with Facebook using
20	Carlos Bacelar	H: M: P = C = DDC	Facebook Connect.
27	Carios Bacelar	Hi-Midia - Grupo RBS	Information regarding Power's access to and use of the
		Rua Bambina, 19 - Botafogo Rio de Janeiro, Brazil	Facebook website, including
28		Kio de Janeiro, Brazii	the number of accesses of
	<del></del>	<del></del>	

CEP: 22251-050 (21) 2244.8888  Facebook by Poknowledge of Fother social network Service, dever PowerScript, de PowerBrowser, functionality of used by Power, attempts to integrate website with Faracebook Conn  Carolina Fialho  Unknown  Carolina Fialho  Unknown  Information regraces to and use Facebook website the number of a Facebook by Poknowledge of Fother social network Service, dever PowerScript, de PowerScript, de PowerBrowser, functionality of used by Power, attempts to integrate website with Faracebook Connuctionality of used by Power, attempts to integrate website with Faracebook Connuctionality of used by Power, attempts to integrate website with Faracebook Connuctionality of used by Power, attempts to integrate website with Faracebook Connuctionality of used by Power, attempts to integrate website with Faracebook Connuctionality of used by Power, attempts to integrate website with Faracebook Connuctionality of used by Power, attempts to integrate website with Faracebook Connuctionality of used by Power, attempts to integrate website with Faracebook Connuctionality of used by Power, attempts to integrate website with Faracebook Connuctionality of used by Power, attempts to integrate website with Faracebook Connuctionality of used by Power, attempts to integrate website with Faracebook Connuctional Conn	acebook's and vork's Terms lopment of
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Rua Frederico Simões 125 access to and us	
15   Fd Liz Empresarial 7° and ar   Facebook websi	
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Salvador / BA knowledge of F	
17 CEP: 41820-774 other social netw	vork's Terms
Tel.: + 55 71 3021-2999 of Service, development of Ser	
Fax: + 55 71 3021-2999 PowerScript, de PowerBrowser,	
19 functionality of	all software
used by Power,	
20 attempts to integrate website with Fa	
21 Facebook Conn	
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22 access to and us Facebook websi	
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other social network of Service, deve	
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28 website with Fa	and Power's

1 2			Facebook Connect.
3 4 5	Zak Mandhro	Shopon, LLC. 2225 Bayshore Road #200, Palo Alto, California, USA. (888) 448-8365	Information regarding the management of Power and Power's access to and use of the Facebook website, including the number of accesses of Facebook by Power, Power's knowledge of
7			Facebook's and other social network's Terms of Service, development of PowerScript,
8			development of PowerBrowser, the
9			functionality of all software used by Power, and Power's
О			attempts to integrate the Power website with Facebook using Facebook Connect.
1	Andre Fernandes	Unknown	Information regarding the management of Power and
2			Power's access to and use of the Facebook website,
3			including the number of accesses of Facebook by
4			Power, Power's knowledge of Facebook's and other social
5			network's Terms of Service,
5			development of PowerScript, development of PowerBrowser, the
7 8			functionality of all software used by Power, and Power's attempts to integrate the Power
9			website with Facebook using Facebook Connect.
0	Danilo Delgado	Unknown	Information regarding Power's
1			access to and use of the Facebook website, including
2			the number of accesses of Facebook by Power, the
3			creation of Power, investment in Power, Power's knowledge
4			of Facebook's and other social network's Terms of Service,
5			development of PowerScript, development of
6			PowerBrowser, the functionality of all software
7			used by Power, and Power's attempts to integrate the Power
8			website with Facebook using Facebook Connect.

1	Ed Niehaus	Collaborative Drug Discovery,	Information regarding Power's
2		Inc., 1633 Bayshore Hwy., Suite 342, Burlingame, CA	access to and use of the Facebook website, including
2		94010	the creation of Power,
3		(650) 259-9512	communications with
4			Facebook concerning Power's
4			access to Facebook, communications with other
5			social networks,
			communications with the
6			Press, and communications
7	Boyan Josic	Unknown	with investors. Information regarding Power's
,	Boyan Josic	Chikhowh	access to and use of the
8			Facebook website, including
9			the creation and operation of
2			Power, communications with Facebook concerning Power's
10			access to Facebook,
11			communications with other
11			social networks, communications with the
12			Press, and communications
10			with investors.
13	Igor Barenboim	Treasury Department, Itau BBA	Information regarding Power's access to and use of the
14		4 Beckwith Cir., Apt. 2,	Facebook website, including
		Somerville, MA	the creation and operation of
15		Phone Number Unknown	Power, communications with
16			Facebook concerning Power's access to Facebook,
			communications with other
17			social networks,
18			communications with the
10			Press, and communications with investors.
19	Michael Ross	Joseph Capital LLC, 501 Fifth	Information regarding Power's
20		Ave., 16th Floor, New York,	access to and use of the
20		NY 10017, (212) 875-1500	Facebook website, including the creation and operation of
21			Power, communications with
22			Facebook concerning Power's
22			access to Facebook, communications with other
23			social networks,
			communications with the
24			Press, and communications
25	Cornelius Conboy	CrossFarma	with investors. Information regarding Power's
	Comenus Comboy	Address and telephone number	access to and use of the
26		unknown	Facebook website, including
27			the creation and operation of
			Power, communications with Facebook concerning Power's
28			access to Facebook,

1			communications with other social networks,
2			communications with the Press, and communications
3			with investors.
4	Cleomar Rocha	Unknown	Information regarding Power's access to and use of the
5			Facebook website, including the creation and operation of
6			Power, communications with Facebook concerning Power's
7			access to Facebook, communications with other
8			social networks,
9			communications with the Press, and communications with investors.
10	Ron Pollock	46A Mariposa Ct., Unit A,	Information regarding Power's
		Danville, CA, 94526, (925) 743-1078; (925) 997-5755	access to and use of the Facebook website, including
11			the creation and operation of Power, communications with
12			Facebook concerning Power's access to Facebook,
13			communications with other
14			social networks, communications with the
15			Press, and communications with investors.
16	Andreas Stavropoulos	Draper Fisher Jurvetson 2882 Sand Hill Road, Suites	Information regarding Power's access to and use of the
17		150 and 210 Menlo Park, CA 94025	Facebook website, including communications with
18		P: 650-233-9000	Facebook concerning Power's access to Facebook,
19			communications with other social networks,
20			communications with the Press, communications with
21			investors, the creation of Power, and the value of Power.
22	Simon Olson	Draper Fisher Jurvetson	Information regarding Power's
23		2882 Sand Hill Road, Suites 150 and 210	access to and use of the Facebook website, including
24		Menlo Park, CA 94025 P: 650-233-9000	communications with Facebook concerning Power's
25			access to Facebook, communications with other
26			social networks, communications with the
27			Press, communications with investors, the creation of
28			Power, and the value of Power.

1	Esther Dyson	EDventure Holdings	Information regarding Power's
2		632 Broadway, Fl. 10, New York, NY 10012, (917) 443-	access to and use of the Facebook website, including
		2788	communications with
3			Facebook concerning Power's access to Facebook,
4			communications with other
5			social networks, communications with the
3			Press, communications with
6			investors, the creation of
7			Power, and the value of Power.
	Myles Weissledder	mylermedia	Information regarding Power's
8		415 Pine St. #6c, Sausalito,	access to and use of the
9		CA 94965, (415) 843-1850; (415) 332-4423	Facebook website, including communications with
		(110) 002 1120	Facebook concerning Power's
10			access to Facebook, communications with other
11			social networks,
10			communications with the
12			Press, and communications with investors.
13	Leigh Power	Unknown	Information regarding Power's
14			access to and use of the
14			Facebook website, including communications with
15			Facebook concerning Power's
16			access to Facebook, communications with other
			social networks,
17			communications with the
18			Press, communications with investors, the creation of
			Power, and the value of
19	Chris Matchett	I Independent	Power.
20	Chris Matchett	Unknown	Information regarding Power's access to and use of the
21			Facebook website, including
21			communications with Facebook concerning Power's
22			access to Facebook,
23			communications with other social networks,
			communications with the
24			Press, communications with
25			investors, the creation of Power, and the value of
			Power.
26	Neil Azous	Navigate Advisors	Information regarding Power's access to and use of the
27			Facebook website, including
28			communications with
20			Facebook concerning Power's

1			access to Facebook, communications with other
2			social networks,
3			communications with the Press, communications with
4			investors, the creation of Power, and the value of
5	Omera America	A man at Carital	Power.
6	Omar Amanat	Amanat Capital	Information regarding Power's access to and use of the
o l			Facebook website, including communications with
7			Facebook concerning Power's
8			access to Facebook, communications with other
9			social networks, communications with the
10			Press, communications with investors, the creation of
11			Power, and the value of Power.
12	Attorneys at Skadden, Arps, Slate, Meagher & Flom LLP,	525 University Avenue Suite 1100	Information regarding Power's formation, and information
	including Henna Ahmad	Palo Alto, California 94301	regarding Power's legal
13		(650) 470-4500	review of social networks' Terms of Service and basis for
14		Four Times Square	concluding Power could
15		New York, New York 10036 (212) 735-3000	access sites in prohibition of conditions set forth in Terms of service.
16	Seth Sternberg and others at	Meebo	Information regarding Power's
17	Meebo	215 Castro Street Mountain View, CA 94041	access to and use of the Facebook website, including
18		(650) 237-3130	communications with Facebook concerning Power's
19			access to Facebook, communications with other
20			social networks, communications with the
21			Press, communications with investors, the creation of
22			Power, and the value of Power.
	Individuals at Digsby	Unknown. As of April, 2011,	Information regarding Power's
23		Digsby was acquired by Tagged Inc.	access to and use of the Facebook website, including
24		110 Pacific Ave Mail Box	communications with Facebook concerning Power's
25		#117 San Francisco CA 94111	access to Facebook,
26			communications with other social networks,
27			communications with the Press, communications with
28			investors, the creation of Power, and the value of
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1			Power.
2	Ryan McGeehan	Should be contacted only through Orrick, Herrington &	Mr. McGeehan is a member of Facebook's security incident
3		Sutcliffe.	response team. Mr. McGeehan has personal knowledge of
4			Facebook's investigation and
4 5			response upon learning of Power's access and use of the Facebook website.
	Joseph P. Cutler	Perkins Coie	Information regarding
6 7		1201 Third Avenue Suite 4800 Seattle, WA 98101-3099	communications with Steve Vachani
	Roy Schwartz	15255 Delgado Drive	Information regarding Power's
8		Sherman Oaks CA 91403	access to and use of the
9			Facebook website, including
10			the creation of Power, communications with
10			Facebook concerning Power's
11			access to Facebook,
12			communications with other
12			social networks,
13			communications with the Press, and communications
14			with investors.
15	Laurence Briggs		Information regarding Power's
13			access to and use of the Facebook website, including
16			communications with
17			Facebook concerning Power's
18			access to Facebook, communications with other
			social networks,
19			communications with the
20			Press, communications with
2.1			investors, the creation of Power, and the value of
21			Power.
22	Bob Harvey		Information regarding Power's
23			access to and use of the Facebook website, including
24			communications with
			Facebook concerning Power's
25			access to Facebook, communications with other
26			social networks,
			communications with the
27			Press, communications with
28			investors, the creation of

1		Power, and the value of
2	D 4 D :	Power.
	De Amma Davies	Information regarding Power's access to and use of the
3		Facebook website, including
4		communications with
		Facebook concerning Power's
5		access to Facebook,
6		communications with other
		social networks,
7		communications with the Press, communications with
8		investors, the creation of
		Power, and the value of
9		Power.
10	Robert Feeback	Information regarding Power's
		access to and use of the
11		Facebook website, including communications with
12		Facebook concerning Power's
		access to Facebook,
13		communications with other
14		social networks,
		communications with the
15		Press, communications with investors, the creation of
16		Power, and the value of
		Power.
17	John Miller	Information regarding Power's
18		access to and use of the
10		Facebook website, including
19		communications with Facebook concerning Power's
20		access to Facebook,
21		communications with other
21		social networks,
22		communications with the
23		Press, communications with investors, the creation of
۷3		Power, and the value of
24		Power.
25	Jesse Hibbard	Information regarding Power's
23		access to and use of the
26		Facebook website, including
27		communications with Facebook concerning Power's
21		access to Facebook,
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1		communications with other
2		social networks,
2		communications with the
3		Press, communications with
		investors, the creation of
4		Power, and the value of
_		Power.
5	Abbas Poonawala	Information regarding Power's
6		access to and use of the
		Facebook website, including
7		communications with
0		Facebook concerning Power's
8		access to Facebook, communications with other
9		social networks,
		communications with the
10		Press, communications with
11		investors, the creation of
11		Power, and the value of
12		Power.
	Garland Braithewaite	Information regarding Power's
13		access to and use of the
14		Facebook website, including
- 1		communications with
15		Facebook concerning Power's
1.0		access to Facebook,
16		communications with other
17		social networks,
		communications with the
18		Press, communications with investors, the creation of
19		Power, and the value of
19		Power.
20	Kelly Harris	Information regarding Power's
2.1		access to and use of the
21		Facebook website, including
22		communications with
		Facebook concerning Power's
23		access to Facebook,
24		communications with other
<i>2</i> 4		social networks,
25		communications with the
		Press, communications with investors, the creation of
26		Power, and the value of
27		Power.
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John Antos		Information regarding Power's
		access to and use of the
		Facebook website, including
		communications with
		Facebook concerning Power's
		access to Facebook,
		communications with other
		social networks,
		communications with the
		Press, communications with
		investors, the creation of
		Power, and the value of
		Power.
TransPerfect Translations	160 Spear St. #1100	This service may be used by
	San Francisco, CA 94105	Facebook to translate relevant
	(415) 615-9191	Portuguese documents and/or
		testimony.
Witnesses Listed in the Rule	Unknown	All topics identified in the
26 Disclosure(s) of Power		Rule 26 Disclosure(s) of
Ventures, Inc. and/or Steve		Power Ventures, Inc. and/or
Vachani		Steve Vachani

To the extent that Facebook obtains knowledge identifying additional individuals who may have knowledge regarding factual matters relevant to the case, Facebook will disclose them as required by the Federal Rules of Civil Procedure and the Local Rules of the Court. By listing the individuals above, Facebook does not waive its right to object to any discovery requests or deposition notices concerning any individuals listed herein.

Rule 26(a)(1)(A)(ii): a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

Facebook identifies the following categories of documents that it may use to support its claims, if such documents exist.

- 1. Documents related to Power's knowledge of technical measures implemented by Facebook to block Power and its users from accessing Facebook;
- 2. Documents related to Power's circumvention of the technical measures implemented by Facebook to block Power and its users from accessing Facebook;
- 3. Documents related to Power's misuse of the Facebook's services;

- 4. Documents related to the damages and losses incurred by Facebook as a result of Power's conduct;
- 5. Facebook's terms and policies.

The foregoing categories do not constitute an admission by Facebook that documents within the specified categories exist or that they are within it possession, custody, or control. In addition, documents and things in other categories not presently known to Facebook may contain information that it may use to support its claims. Facebook reserves the right to supplement the categories of documents as more information becomes available through the discovery process pursuant to the supplementation procedures under the Federal Rules of civil Procedure, consistent with any applicable protective orders or other Court orders. Nothing in this Initial Disclosure should be interpreted to limit Facebook's ability to provide such information at the times specified by the Federal Rules of Civil Procedure, Local Rules or by Court order. Facebook reserves its right to object to the production of any document, data compilations or tangible things within the categories described herein on any basis permitted by the Federal Rules of Civil Procedure, including but not limited to the attorney-client privilege and the work-product doctrine.

Rule 26(a)(1)(A)(iii): a computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, to which each computation is based, including materials bearing on the nature and extent of injuries suffered.

Facebook is still in the process of quantifying and calculating the damages that it has sustained as a result of Power's and Vachani's violation of California Penal Code Section 502, the Computer Fraud and Abuse Act and the CAN-SPAM Act. Such damages include, however, Facebook's costs associated with identifying and remedying Power's and Vachani's misuse of Facebook's services, circumvention of Facebook's technical measures to prevent such misuse, the value represented by the loss of advertisers and/or members as a result of Power's and Vachani's tortuous acts, and statutory damages pursuant to the CAN-SPAM Act.

Rule 26(a)(1)(A)(iv): for inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a

possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment. Facebook currently has no knowledge of any insurance agreement applicable to this action. Facebook reserves the right to supplement this disclosure if any pertinent insurance agreements are identified. Dated: January 13, 2012 ORRICK, HERRINGTON & SUTCLIFFE LLP /s/ I. Neel Chatterjee I. NEEL CHATTERJEE Attorneys for Plaintiff FACEBOOK, INC. 

1 **DECLARATION OF SERVICE** 2 I am more than eighteen years old and not a party to this action. My business 3 address is Orrick, Herrington & Sutcliffe LLP, 1000 Marsh Road, Menlo Park, CA 94025. 4 On October 14, 2011, I served the following document(s): 5 1. FACEBOOK, INC.'S SECOND SUPPLEMENTAL INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26. 6 7 By transmitting via electronic mail the document(s) listed above to the  $\mathbf{X}$ email addresses(s) set forth below before 12:00 a.m. Midnight on October 8 14, 2011. 9 Scott A. Bursor, Esq. (admitted pro hac vice) L. Timothy Fisher, Esq. 10 scott@bursor.com ltfisher@bursor.com BURSOR & FISHER, P.A. BURSOR & FISHER, P.A. 11 369 Lexington Avenue, 10th Floor 2121 North California Blvd., Suite 1010 New York, NY 10017-6531 Walnut Creek, CA 94596 12 Tel: 212-989-9113 Tel: 925-482-1515 Fax: 212-989-9163 Fax: 925-407-2700 13 14 COUNSEL FOR DEFENDANTS POWER VENTURES, INC. AND STEVE VACHANI 15 16 I am readily familiar with my firm's practice for collection and processing correspondence 17 for electronic trasmission, to wit, that correspondence be electronically trasmitted this same day 18 in the ordinary course of business. 19 Executed on January 13, 2012 at Menlo Park, California. I declare under penalty of 20 perjury under the laws of the State of California that the foregoing is true and correct. 21 22 /s/ Morvarid Metanat 23 Morvarid Metanat 24 25 26 27 28